

ELEVENTH DAY

(Tuesday, January 31, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Owen

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God our Father, as the days pass the problems of this Senate become more realistic and burdensome. Give to these Senators faith and courage for any emergency; and make us mindful always that it is not by power nor by might, but by Thy spirit that we are ultimately to be victorious. We pray in Christ's name. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Owen was granted leave of absence for today and the remainder of the week on account of illness on motion of Senator Roberts.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the committee indicated:

By Senators Weinert, Hardeman and Lane:

S. B. No. 124, A bill to be entitled "An Act closing wild turkey hunting season in Gonzales County until November 16, 1965; providing a penalty; repealing all laws in conflict; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Creighton:

S. B. No. 125, A bill to be entitled "An Act to authorize acceptance and conditional use by Texas Woman's University of certain donated property; and declaring an emergency."

To the Committee on State Affairs.

By Senator Roberts for Senator Owen:

S. B. No. 126, A bill to be entitled "An Act authorizing the Commissioners Court of Midland County to pay the District Judge of the 142nd Judicial District compensation in addition to the compensation paid by the State; making other provisions relative thereto; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Herring:

S. B. No. 127, A bill to be entitled "An Act to amend Section 9 of Article 8306, Revised Civil Statutes to increase the limit of funeral benefits which may be awarded by the Industrial Accident Board, and to declare an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 128, A bill to be entitled "An Act amending Article 3.01 of the Insurance Code of Texas, Acts of 1951, 52nd Legislature, Page 868, Chapter 491, as amended by redefining the term 'net assets' and providing for certain data processing systems to be considered as admitted assets of a life insurance company; providing for severability of the different parts of said Article so that the constitutionality of one or more shall not affect the remainder of the Act; repealing all laws in conflict herewith; and declaring an emergency."

To the Committee on Insurance.

By Senator Parkhouse:

S. B. No. 129, A bill to be entitled "An Act amending Article 3.16 of

Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491, as amended by the Acts of the 1957, 55th Legislature, Chapter 344, Section 2) relating to deposits of securities or lawful money of the United States or conveyance of real estate in trust in an amount equal to the legal reserve of all of the outstanding policies in force of any life insurance company; amending Article 3.17 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491) relating to what deposits made under Article 3.16 of Chapter 3 of the Insurance Code may include; amending Article 3.18 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491), relating to the effect and value of deposits and amount of legal reserve; repealing Article 3.19 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491) relating to fees for making deposits; repealing conflicting laws and parts of laws to the extent of such conflict; containing a savings clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Parkhouse:

S. B. No. 130, A bill to be entitled "An Act relating to the authorized investments of life insurance companies, and in particular repealing inconsistent provisions of Article 3.39 and Article 3.34 of the Insurance Code of the State of Texas, and declaring an emergency."

To the Committee on Insurance.

By Senator Crump:

S. B. No. 131, A bill to be entitled "An Act amending Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, codified as the Insurance Code, Vernon's Texas Civil Statutes, by adding thereto a new chapter designated as "Chapter Twenty-two"; permitting the organization of stipulated premium life insurance companies, or stipulated premium accident companies, or stipulated premium life, health and accident insurance companies; prescribing the method of organization; requiring initial capital of at least \$15,000.00 and initial surplus of \$7,500.00; regulating the investments in which such capital and initial surplus may be made; providing for the corporate duration; prohibiting payment of cash dividends

until such time as the capital thereof shall be \$100,000.00; providing what laws shall not be applicable to stipulated premium companies; permitting shares of stock to have a par value of \$1.00 to \$100.00 per share; prescribing the method of obtaining the corporate charter, amount of filing fees, hearing before the State Board of Insurance, submission of charter to the Attorney General for approval; authorizing the procedure for the initial election of officers, adoption of by-laws and prescribing certain authority for the Board of Directors and rights of stockholders; prescribing the procedure for amending the charter of the stipulated premium company; requiring the initial examination of the stipulated premium company and prescribing the method and terms of its temporary and permanent certificates of authority; requiring that if the stipulated premium company does not reinsure a Chapter 14 mutual assessment company or association chartered and doing business prior to January 1, 1961 within six months from date of incorporation it shall surrender its charter for cancellation; prescribing and limiting the territory in which the stipulated premium company may do business; requiring the filing of an annual statement by the stipulated premium company between the dates of July 1st and August 31st of each calendar year upon forms prescribed by the State Board of Insurance; authorizing the obtaining of reinsurance and requiring that certain risks be reinsured until the stipulated premium company has a surplus of at least \$50,000.00; limiting the payment of cash dividends to stockholders until the stipulated premium company has at least \$100,000.00 in capital; prescribing the procedures for the payment of salaries to officers, directors and employees and permitting pension plans; requiring that all funds be deposited in the name of the stipulated premium company and prohibiting any officer or director from having any interest, except as a stockholder, in any loan, pledge, security or property of the stipulated premium company and prohibiting any officer or director from obtaining any fee, brokerage, commission, gift or other compensation on account thereof; providing the reserve tables to be used by stipulated premium companies, and establishing the minimum reserve under policies of all classes; permitting a

lawful deficiency reserve in the case of policies assumed under a reinsurance contract with companies or associations operating under the provisions of Chapter 14 of the Insurance Code but requiring that such deficiency reserves be decreased 10% each year; providing for the date and method of calculation of such required reserves annually; requiring adjustment of rates within thirty days in the event of a deficiency not permitted or providing that the stipulated premium company shall be dealt with as if it were insolvent: prescribing the types of investments which may be made by a stipulated premium company; establishing the provisions of policy forms and requiring approval of the same by the State Board of Insurance; providing the licensing of agents; permitting the reinsurance of a company or association operating under the provisions of Chapter 14 of the Insurance Code with a stipulated premium company, establishing the procedure therefore, the method of voting thereon, regulation of the certificate of assumption, allocation of the net funds of the Chapter 14 company or association, the creation of a deficiency reserve thereunder if necessary, approval of the same by the State Board of Insurance as complying with this Act; making the Business Corporation Act applicable to stipulated premium companies when not in conflict with the provisions hereof; prohibiting the use in representation of policies and advertising of certain words; making Art. 1.14, Art. 1.15, Art. 1.19, Art. 21.26, Art. 21.28, Art. 21.39, Art. 21.45 and Art. 21.47 of the Insurance Code applicable to stipulated premium companies; providing that stipulated premium companies shall be regulated by the Texas Securities Act and shall pay the same premium taxes as companies chartered and doing business under Chapter 3 of the Insurance Code but such premium taxes shall cover a different period of time and shall be due at a different date; permitting partial or total reinsurance agreements with legal reserve companies authorized to do business in Texas; permitting total or partial reinsurance agreements with other stipulated premium companies under certain circumstances and providing the methods and procedures whereby the same may be accomplished, but subject to approval as to compliance with this Act by the

State Board of Insurance; providing for termination of corporate existence under a total reinsurance; repealing all laws or parts of laws in conflict herewith and declaring an emergency."

To the Committee on Insurance.

By Senator Crump:

S. B. No. 132, A bill to be entitled "An Act providing for the licensing and regulation of all persons engaged in the business of Structural Pest Control to be administered by the Texas State Department of Health; providing for an Advisory Council; defining terms used; providing for exceptions; requiring license; setting out qualifications, terms and duties of the Council; providing for meetings of the Council; providing for license of those presently engaged in such business; providing for renewal of license and exemption of licensees in military service and providing for reinstatement of lapsed licenses; providing for the suspension and revocation of licenses; providing for notice and hearing of proceedings; providing for appeal and trial de novo; providing for injunction; providing for annual renewal and other fees; providing that all funds be deposited in the State Treasury; providing for per diem, salaries and costs of operation; providing the Attorney General shall approve all rules and regulations and publication thereof; providing a penalty for the violation of this Act; repealing all laws in conflict; providing for severability and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Willis:

S. B. No. 133, A bill to be entitled "An Act adding a new article to Chapter Two, Title 8, of the Penal Code of the State of Texas, 1925, designated as Article 310a relating to false swearing before the Legislature or any committee thereof; amending Section 1 of Chapter 41, Acts of the Forty-fifth Legislature, Regular Session, 1937, compiled as Article 5429a of Vernon's Texas Civil Statutes, authorizing legislative committees to require witnesses to be sworn; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 134, A bill to be entitled

"An Act providing for certain presumptions which shall rise from the amount of alcohol in the defendant's blood at the time of the alleged offense as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance in any criminal prosecution for a violation of any law of this State relating to driving an automobile or other motor vehicle while intoxicated or while under the influence of intoxicating liquor; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Schwartz:

S. B. No. 135, A bill to be entitled "An Act creating a Juvenile Board for Galveston County and designating the members thereof; providing additional compensation for County and District Judges serving thereon; providing the manner of payment thereof; prohibiting, however, the payment of any salary by such County to the District Judges serving on such Board in excess of the salary provided by this Act; providing for the appointment and qualifications of Juvenile and Assistant Juvenile Officers and for their salaries, expenses, payment of their claims for expenses, filing of their appointments in the Office of the County Clerk, taking their oaths of office and the filing of their oaths in the Office of the County Clerk; providing for the removal of such Juvenile and Assistant Juvenile Officers; providing for such Juvenile and Assistant Juvenile Officers to have the authority, powers and duties under Art. 5142 of the Revised Civil Statutes of Texas, 1925, and any amendments thereto; providing automobiles for the Juvenile and Assistant Juvenile Officers; providing this Act is cumulative of existing laws; repealing all laws in conflict to the extent of conflict only; providing that if any portion of this Act is held unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Schwartz:

S. B. No. 136, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from County funds to the District Judges of the 10th, 56th, and 122nd District Courts of Galveston County by the Commissioners Court of Gal-

veston County in addition to the compensation paid by the State of Texas; prohibiting, however, the payment of any salary by Galveston County in excess of the compensation provided by this Act; providing the time and method of payment; authorizing amendment of the budget; providing that if any portion of this Act is unconstitutional, it shall not affect the remainder thereof; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Herring:

S. B. No. 137, A bill to be entitled "An Act to amend Senate Bill No. 86, Acts 1929, 41st Legislature, First Called Session, Page 57, Chapter 23, as amended by Senate Bill No. 35, Acts 1933, 43rd Legislature, First Called Session, Page 274, Chapter 99, Section 1, same being known as Article 2675-1, Vernon's Texas Civil Statutes, as amended, by adding a new Section immediately following Section 2-b thereof to be known as Section 3, pertaining to the severely physically disabled; providing for administration by the Vocational Rehabilitation Division of the State Department of Education; providing for repealing and severability clauses; declaring legislative intent; and declaring an emergency."

To the Committee on Education.

By Senator Hazlewood:

S. B. No. 138, A bill to be entitled "An Act making it a separate felony for a parent to commit an assault and battery on his minor child resulting in the death of said child; providing for punishment; repealing all laws in conflict; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Lane and Dies:

S. B. No. 139, A bill to be entitled "An Act amending the Act approving and adopting the Sabine River Compact, Chapter 63, Page 89, Acts of the Fifty-third Legislature, 1953, Regular Session, so as to amend Article VII (C) of the Sabine River Compact to change the term of office for the Texas members; amending Section 2 of said Act by establishing fees of office and terms of office; authorizing notice of this Act; repealing all laws in conflict herewith; containing a sev-

erability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Hudson:

S. B. No. 140, A bill to be entitled "An Act amending the Texas Probate Code by adding thereto a Section 58a permitting a testator to devise or bequeath property to the trustee of any trust the terms of which are evidenced by a written instrument in existence before or concurrently with the execution of his will; providing that property so devised or bequeathed shall be added to such trust and be administered thereunder in accordance with the terms of such instrument, including any written amendments or modifications thereto made prior to the death of the testator; providing for lapse if the trust is entirely revoked; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hudson:

S. B. No. 141, A bill to be entitled "An Act amending Article 1 of Chapter III of the Texas Banking Code of 1943, as amended, codified as Article 342-301, Vernon's Texas Civil Statutes; Section 3(d) of the Texas Probate Code; and Section 25L of the Texas Trust Act, as amended, codified as Article 7425b-25L, Vernon's Texas Civil Statutes, in such manner as to clarify, harmonize and confirm the provisions of those statutes dealing with action without bond by banks with trust powers and by trust companies authorized to serve as trustee, executor, administrator, guardian, receiver, or, although without general depository powers, depository for any moneys paid into Court; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hudson:

S. B. No. 142, A bill to be entitled "An Act amending the Texas Probate Code by adding thereto a Section 105a containing reciprocity provisions authorizing out-of-State banks and trust companies, including national banks, to act in certain fiduciary capacities in the State of Texas, when and to the extent that banks and trust companies organized under the laws of the State of Texas, and national banks, with their principal offices in this State, are permitted to so act in other states, territories or the District

of Columbia; providing conditions upon which such right to act in this State may be exercised; providing for service of notice or process upon such out-of-State banks and trust companies; prohibiting such banks and trust companies from establishing or maintaining places of business or soliciting fiduciary business in this State; forbidding such banks and trust companies to act in a fiduciary capacity in this State other than as authorized by this Act or other laws of this State; providing that out-of-State banks and trust companies acting hereunder shall not be deemed to be doing business in this State and may use the names 'bank,' 'trust,' or 'bank and trust' in their names and stationery; providing that the provisions hereof are cumulative of the provisions of Section 2 of Chapter 388, Acts of the 55th Legislature, R. S. (1957); fixing penalties for violations; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Willis:

S. J. R. No. 9, Proposing an Amendment to the Constitution of the State of Texas, amending Sections 51a, Subsection 51a-1 and Section 51-b of Article III so that the same shall consist of one Section to be known as Section 51-a; providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to citizens of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of twenty-one (21) years, needy children under the age of sixteen (16) years and needy persons who are more than eighteen (18) years of age and less than sixty-five (65) years of age who are permanently and totally disabled; providing for direct or vendor payments for medical care on behalf of such recipients; providing for the acceptance of financial aid from the Government of the United States for such assistance and financial aid for medical care on behalf of such recipients; providing that the amounts for such assistance payments and the amounts for such medical care from State funds shall not exceed the amounts that are matchable out of Federal funds for such purposes; providing for the necessary election, form of ballot, proclamation, and publication.

To the Committee on Constitutional Amendments.

Senate Concurrent Resolution 14

Senator Reagan offered the following resolution:

S. C. R. No. 14, Inviting Mr. Howard E. Butt, Jr. to address a Joint Session of the Legislature.

Whereas, The distinguished Howard E. Butt, Jr. of Corpus Christi, Texas is to be in Austin on February 1, 1961 for the Laymen's Festival of Faith; and

Whereas, Mr. Butt is recognized as one of the nation's best known lay ministers and is an outstanding advocate of reviving lay witnessing in America; and

Whereas, Since 1946, Mr. Butt has made many hundreds of appearances before church, civic, denominational, national convention, military, welfare and other groups in twenty-five states, the District of Columbia, and in seven foreign countries; and

Whereas, His speaking engagements have included the Annual President's Prayer Breakfast in Washington, D. C., the National Conference of Presbyterian Men, Southern Methodist University's Religious Emphasis Week, the Baptist World Alliance, Protestant Men of the Chapel European Command Convention, and Billy Graham's World Revival Movement; and

Whereas, It is the desire of the Senate of Texas, the House of Representatives concurring, to recognize the anticipated visit of this outstanding lay minister and to invite him to address a Joint Session of the 57th Legislature of Texas at 11:00 o'clock a.m. on February 1, 1961; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the distinguished Howard E. Butt, Jr. of Corpus Christi, Texas be, and he is hereby invited to address a Joint Session of the 57th Legislature of Texas at 11:00 o'clock a.m., February 1, 1961, and, be it further

Resolved, That a Committee composed of five members of the Senate and five members of the House be appointed by the Lieutenant Governor and the Speaker of the House to escort this distinguished gentleman to the Speaker's stand.

REAGAN
HERRING
PARKHOUSE

PATMAN
KRUEGER
GONZALEZ
CRUMP
CREIGHTON

The resolution was read.

On motion of Senator Reagan and by unanimous consent the resolution was considered immediately and was adopted.

Accordingly, the President announced the appointment of the following as a committee to escort Mr. Butt to the Joint Session:

Senators Reagan, Crump, Secrest, Krueger and Patman.

Senate Resolution 43

Senator Reagan offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Bill McAdams of Corpus Christi; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented Mr. McAdams to the Members of the Senate.

Senate Bill 55 on Second Reading

Senator Parkhouse moved that Senate Rules 116, 12, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 55 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Fuller
Baker	Gonzalez
Calhoun	Hardeman
Colson	Hazlewood
Creighton	Herring
Crump	Hudson
Dies	Kazen

Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Schwartz
Moore	Secrest
Parkhouse	Smith
Patman	Weinert
Ratliff	Willis

Absent—Excused

Owen

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 55, A bill to be entitled "An Act amending Chapter 171, Acts 1947, 50th Legislature, as amended by Chapter 391, Acts 1949, 51st Legislature, by adding thereto a new section providing for the election of trustees by majority vote and providing for a second election in the event no candidate receives such vote at first election; enacting other matters relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 55 on Third Reading

Senator Parkhouse moved that Senate Rules 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Owen

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

Absent—Excused

Owen

House Concurrent Resolution 13 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 13, Commending the Federal Power Commission for conducting a hearing in Texas and commending Public Officials of the State of Texas for their willingness to protect the interests of the State, its citizens, and the economy of Texas therein.

The resolution was read and was adopted.

House Concurrent Resolution 11 on Second Reading

On motion of Senator Fuller and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 11, Designating the second week of October each year as Texas Literary Week.

The resolution was read and was adopted.

House Concurrent Resolution 12 on Second Reading

The President laid before the Sen-

ate on its second reading the following resolution:

H. C. R. No. 12, Providing for the appointment of a committee of five (5) members to appoint and designate some outstanding and recognized poet who is a citizen of Texas, who shall be Poet Laureate of the State of Texas for a period of two (2) years.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

House Concurrent Resolution 9 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 9, Providing for the placing of the Flag of Texas on the existing flagpole at the south main entrance to the Capitol Building during the Session of the Legislative Body, and directing the State Board of Control to raise and lower same.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,
January 31, 1961.

To the Senate of the Fifty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority, for six-year terms to expire January 1, 1967: Scott L. Hartgrove of Paint Rock, Concho County; E. H. Swaim of Eden, Concho County;

James L. Daniel of Eden, Concho County.

To be members of the Board of Directors of the Upper Guadalupe River Authority, for six-year terms to expire January 1, 1967: Dr. J. Lovic Bullard of Kerrville, Kerr County; Arthur J. Lochte of Kerrville, Kerr County.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

Senate Resolution 44

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Honorable Bowen Pope, former Member of the Texas Legislature, and his grandson, Harry Hinkle; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the guests to the Members of the Senate.

Notice of Executive Session

Senator Dies gave notice that he would on tomorrow move for an Executive Session of the Senate.

Record of Vote

On motion of Senator Schwartz and by unanimous consent the Journal of Tuesday, January 24, 1961, pages 82, 83 and 84 will be corrected to show him voting "Yea" on Senate Bill Nos. 15 and 6.

Adjournment

On motion of Senator Hardeman the Senate at 11:23 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

In Memory of
Dr. J. B. McKnight

Senator Hardeman offered the following resolution:

(Senate Resolution 40)

Whereas, On January 27, 1961, Dr. J. B. McKnight passed away at his home in San Angelo, at the venerable age of 91 years; and

Whereas, Dr. McKnight, a native of Dallas, prepared himself in the field of medicine and while engaged in the practice thereof at Brady, Texas, in 1914 was called by Governor Colquitt to head the then small tuberculosis hospital at Carlsbad, near San Angelo later named McKnight Sanitorium in his honor, where he remained, as superintendent, until his retirement in 1950; and

Whereas, During his long administration the institution grew to 1000-bed capacity and served more than 28,000 patients, in addition to the establishment and operation of a special two-year school of nursing, in 1915, for the training of tuberculosis nurses, followed by the creation of an extension division in 1918 which supplied printed information regarding the treatment and prevention of tuberculosis; and

Whereas, Dr. McKnight actively participated in the establishment of the American Legion Memorial Hospital in 1922, now the U. S. Veterans Hospital at Legion, near Kerrville and of the Kerrville State Sanitorium for Negroes; and

Whereas, Dr. McKnight served for many years as an officer of the Tom Green-Eight County Medical Society and was an active member of the Texas and American Medical Associations and was a former President of the Texas Tuberculosis Association, a Fellow of the American College of Chest Physicians, a member of the National Tuberculosis Association and of the American Hospital Association; a member of the Masonic Order, receiving a 50-year pin in 1947, a Shriner, a member of the Woodmen of the World and of the Episcopal Church; and

Whereas, It is the desire of the Senate of Texas to recognize the contributions of this outstanding Texan in the treatment and prevention of the white plague, among the people of the Southwest and to express its appreciation for his efforts in his chosen work, now, therefore, be it

Resolved by the Senate of Texas that it does hereby recognize the contributions of Dr. J. B. McKnight and express its appreciation for his efforts and leadership to reduce the spread of tuberculosis among the citizenship of Texas and the Southwest; and, be it further

Resolved that copies of this resolution, under the Seal of the Senate, be forwarded by the Secretary of the Senate to his surviving daughter, to the Superintendent of McKnight Sanitorium, and to the President of the Tom Green-Eight County Medical Association at San Angelo; that a page in the Journal be set aside for the Resolution and that when the Senate adjourn today it do so in his honor.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of

Dr. F. C. Bolton

Senator Moore offered the following resolution:

(Senate Resolution 41)

Whereas, On January 31, 1961, our Heavenly Father, in His infinite wisdom, did call from his earthly home Dr. F. C. Bolton of College Station; and

Whereas, He was born in Mississippi and came to Texas A & M College in 1909 as an Instructor in Electrical Engineering; and

Whereas, He served his adopted State and A & M College of Texas in various capacities as Head of the Electrical Engineering Department, then as Dean of Engineering, then as Dean of the College Executive Vice-President, and then as President, from which he retired in 1955 and became President Emeritus of the College, in all of which offices he served with untiring diligence and made many valuable contributions to the welfare of the citizens of Texas; now, therefore be it

Resolved, That the Senate of Texas does hereby express its deep and abiding sympathy to the members of Dr. Bolton's family at his passing and that copies of this Resolution be forwarded to his family by the Secretary of the Senate under the seal of the Senate; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to Dr. Bolton and that when the Senate adjourns today that it do so in his memory.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Robert J. Cummins

Senator Baker offered the following resolution:

(Senate Resolution 42)

Whereas, On June 11, 1960, the City of Houston and the State of Texas lost a distinguished citizen in the passing of Robert J. Cummins, once designated Houston's "Engineer of the Year"; and

Whereas, Monuments to the engineering genius of this illustrious adopted-Texan include the San Jacinto Monument, the First City National Bank Building, and the Veterans Administration Building in Houston; and

Whereas, He was born on March 1, 1881, in Mount Mellick, Ireland, and received his engineering degree from Queen's College of the Royal University of Ireland in 1900; and

Whereas, He came to America around the turn of the Century, first working for some 10 years in Detroit, Michigan, as a civil engineer, but then moving to Houston, which he envisioned, even then, as a great city on the banks of Buffalo Bayou; and

Whereas, Development of Texas ports was his major interest, and he helped build Texas from Port Arthur to Brownsville, devoting more than a quarter of a century of uncompensated work on the Port of Houston—as a member of the Port Commission; and

Whereas, He was named "Engineer of the Year" in 1953 by the Texas Society of Professional Engineers; and

Whereas, His engineering interest and ability were also sought outside Texas: he helped solve water problems for the Metropolitan Water District of Southern California as RFC consultant under Jesse H. Jones; he was consultant on two of the seven projects cited by the American Society of Civil Engineers as modern civil engineering wonders of the United States—the Colorado River aqueduct and the San Francisco Transbay Bridge; and

Whereas, He was the first Texan to be awarded the highest honor an engineer can receive, honorary membership in the American Society of Civil Engineers, founded over one hundred years ago; and

Whereas, He was a diligent civic worker and a member of the Houston Downtown Rotary Club, with a record of 35 years of perfect attendance; and

Whereas, He was consecrated in the work of his church and served for 40 years as treasurer of the Central Presbyterian Church, of which he was a charter member; and

Whereas, He was a devoted father and husband and is survived by his wife, Sascha, whom he met and married upon a return visit to Ireland, and his children: a son, James A. Cummins of Houston; two daughters, Mrs. C. E. Jones of Ridgewood, New Jersey, and Miss Jean Cummins of Houston; now therefore be it

Resolved, That the Senate of the Fifty-seventh Legislature of the State of Texas adjourn this day in memory of Robert J. Cummins, that a page in the Senate Journal be set aside in respect to his boundless contributions to Houston and the State of Texas, and that a copy of this Resolution be sent to his family.

The resolution was read and was adopted by a rising vote of the Senate.